

Coordinated Tribal Water Quality Program

Introduction

The Coordinated Tribal Water Quality Program (CTWQP) was developed by the 26 federally recognized tribes in the State of Washington in 1990. Tribes have worked with the U.S. Environmental Protection Agency (EPA) to implement the CTWQP for the past 10 years. EPA funds are enabling the tribes to conduct water quality programs critical to the management of their treaty-protected resources, and to provide for the health of their members and the environment. Federal funding of the CTWQP is necessary under the trust responsibility of the United States to implement the Stevens Treaties.

The base level funding requirement for the Coordinated Tribal Water Quality Program is \$3.1 million per year. This provides \$110,000 to each of the 26 tribes for their individual programs and \$240,000 for statewide program coordination. This funding structure provides for extremely low overhead with 94.5 percent of the funds going to on-the-ground activities and just 5.5 percent for coordination.

The CTWQP is designed to provide base-level staff infrastructure for tribes to organize and begin addressing the water quality concerns that are threatening their reservations and treaty-protected resources. Water pollution in Washington threatens the health of tribal members and their treaty resources without respect to political boundaries. Tribal jurisdictions interlock with many other jurisdictions, including some of the most densely populated and industrial areas in the state.

Three commonalities guide program design and implementation:

- All tribes are confronted by serious water quality issues:
- All tribes require necessary infrastructure to adequately address these issues; and
- A watershed/ecosystem approach is the best approach to solving these issues because of their multi-jurisdictional nature.



Mike Jones, Port Gamble S'Klallam tribal member, collects a water sample from Quilcene Bay.

The tribes in Washington developed and adopted the CTWQP as a watershed protection strategy to safeguard the resources on which they depend for their economic, spiritual and cultural survival. This strategy provides for the development of infrastructure, program implementation and statewide coordination.

At a time when EPA is working to improve responsiveness to Indian government and Indian lands, the Coordinated Tribal Water Quality Program provides a national model. The program demonstrates how tribes and EPA can improve the structure of their relationships, thereby improving the success of ecosystem management approaches. Additionally, this model program has produced transferable tools that can be shared with tribes throughout the nation. These tools include:

- A coordinated tribal water quality database design and structure;

- A tribal water quality standards template;
- A Coordinated Tribal Water Quality Program design manual; and
- A cooperative state/tribal 303(d) strategy.

The tribes know that the battle against water pollution cannot be fought alone. To succeed, it will require cooperative, coordinated efforts with other governments. To make every funding dollar work to its fullest, the tribes are building partnerships with other governments to implement coordinated, cooperative programs that address water quality issues.

For the past 27 years the tribes in Washington have been successfully developing comprehensive, cooperative agreements with state and local governments and private interest groups to protect and manage natural resources essential to the survival of fish and shellfish. These processes, unique in the nation, have brought previously contending parties together in efforts to address difficult issues.

The tribes are committed to managing water quality on a watershed/ecosystem basis that transcends political boundaries. To that end the tribes have developed the CTWQP, which benefits not only the tribes, but all residents of the state.

The federally recognized tribes in Washington are confronted by serious water pollution issues, but lack the means by which they be adequately addressed. The main sources of pollution degrading tribal waters are:

- Urbanization;
- Agricultural practices;
- Logging and other silvicultural activities;
- Failing septic systems;
- Storm water runoff and sewer overflows;
- Municipal and industrial discharge;
- Industrial point source pollution;
- Municipal and industrial water diversions; and
- Mining.

Many of these pollution sources originate some distance from tribal reservations, yet still threaten tribal health and well-being. These types of pollution threaten the survival of salmon, shellfish and other natural resources on which the tribes depend for their survival.

Nearly all tribes operate fish hatcheries and other facilities to supplement stocks of wild salmon. These facilities, which depend on clean water for their operation, produce average of 40 million young salmon annually.

Participating tribes want the CTWQP coordinating mechanism and technical components to build on the existing efforts of individual tribes and other entities to improve water quality, restore salmon populations and protect shellfish. The CTWQP is neither intended to replace existing tribal programs nor compete with them for funding.

The Program

For 10 years, 26 federally recognized Indian tribes in the State of Washington have been implementing the Coordinated Tribal Water Quality Program. Much has been accomplished in that time. As previously described, the CTWQP has two components – individual tribal programs and coordination.

Individual Tribal Programs

Each of the 26 tribes has professional staff to accomplish program activities. Work in FY 00 continues successful program implementation. Utilizing the CTWQP, tribes proceeded to develop and implement watershed management plans, monitor water quality trends, map problem areas, clean up shellfish beds, establish wellhead protection programs, and develop water quality standards.

As sovereign governments and partners in water quality management, the tribes also began participating in cooperative watershed-based, inter-governmental water quality protection activities.

Coordination

The Northwest Indian Fisheries Commission, functioning as the coordination entity for the CTWQP, organizes and facilitates bi-monthly programs meetings, provides a forum for program policy development, serves as an information clearinghouse, represents tribal interests on statewide policy and technical committees, arranges meetings of tribal, state and federal participants to address water quality issues, facilitates implementation of tribal

water quality programs, and works to maintain program funding. The intent is to support tribal programs while maintaining a coordinated program focus, allowing tribes to focus on their local water quality concerns.

Accomplishments

The continuing success of this tribal water quality protection strategy is encapsulated in the following list of program accomplishments. This is not intended to be a comprehensive list, but a representation of program achievements and the widespread environmental benefits that can be attributed to the program. The success of water quality protection and restoration in Washington requires the tribes to be full and consistent partners.

Tribal Program Accomplishments

- The Makah Tribe completed its application for treatment as a state, as well as a water quality certification ordinance and tribal water quality standards. These documents will be submitted to EPA following tribal council review.
- The Spokane Tribe planted hundreds of cottonwood, aspen and willow trees to stabilize stream banks and provide natural filtration of water from agricultural lands. Hundreds of feet of fencing were also installed to keep cattle from the streams.
- The Kalispel Tribe developed draft tribal water quality standards, and submitted applications for treatment as a state in the state-legislated inter-jurisdictional watershed planning process occurring on the Pend Orielle River system. Additionally, the tribe with EPA, is jointly certifying water quality for water bodies on the reservation in an upcoming FERC re-licensing process.
- The Quileute Tribe is active as an initiative government in the Water Resource Inventory Area 20 Watershed Council process and is developing reservation water quality standards.
- The Swinomish Tribe developed a water quality database design to serve as a template for all tribal water quality programs.
- The Jamestown S’Klallam Tribe implemented an exhaustive study throughout the Dungeness River watershed to determine sources of fecal coliform contaminants threatening valuable shellfish beds in Dungeness Bay. Additionally, the tribe is developing an interpretive center for the public on the Dungeness River to provide water quality information and foster environmental stewardship.
- The Shoalwater Bay Tribe is conducting a fecal monitoring program on tribal tidelands and continued implementation of a surface water monitoring program.
- The Suquamish Tribe developed intergovernmental agreements to support efforts to protect tribal trust resources, including working with the U.S. Department of Defense (DOD) on a Memorandum of Agreement and a Cooperative Agreement for installation of restoration activities at six DOD sites.
- The Nisqually Tribe conducted a water quality inventory analysis and is preparing recommendations for 303(d) listings in the Nisqually River watershed.

Statewide Program Accomplishments

As part of a statewide water quality management model, the tribes and DOE have entered into an intergovernmental approach to coordinate monitoring efforts in safeguarding the water quality throughout the state. Through this technical assistance project, DOE is planning to share resources and expertise with tribal governments to more effectively protect the ecological integrity of our aquatic systems.

Additionally, the Coordinated Tribal Water Quality Program is beginning to implement a Coordinated Tribal Water Quality Database to more efficiently organize, utilize and share data.

A Model EPA/Tribal Partnership

As the EPA has begun to address its responsibility to tribal lands and resources, the CTWQP is demonstrating how the tribes and EPA can work together. The program

also is fulfilling EPA goals for working with Indian governments and lands. Those goals include:

- Development of tribal management capacity;
- Delegation of environmental protection programs to tribes; and
- Encouragement of cooperation between tribal, state and local governments to resolve environmental problems of mutual concern.

The Coordinated Tribal Water Quality Program is producing tribal water quality protection tools with nationwide applicability. To date, four distinct tools have been developed:

- A program design structure that works to coordinate the activities of 26 individual tribal government programs while supporting both their autonomy and sovereignty;
- The Tribal Water Quality Standards Template, a document created to assist tribes and tribal staff who have selected to incorporate the development of water quality standards into their water quality protection programs;

- The 303(d) Cooperative Implementation Plan. This plan outlines an inter-governmental working relationship between DOE and individual tribal governments in completing the 303(d) listing process both on-and-off-reservation throughout the state's watersheds; and
- A Coordinated Tribal Water Quality Database design.

Conclusion

Through the Coordinated Tribal Water Quality Program, the tribes have the same goal for Washington waters as the federal Clean Water Act: To restore and maintain the chemical, physical and biological integrity of the nation's waters.

For More Information

For more information about natural resource management activities of the treaty Indian tribes in western Washington, contact the Northwest Indian Fisheries Commission, 6730 Martin Way E., Olympia, WA 98516; or call (360) 438-1180. Visit the NWIFC home page at www.nwifc.wa.gov.